

**GUN CONTROL  
AND  
CRIME PREVENTION**

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## TABLE OF CONTENTS

INTRODUCTION .....	1
AN HISTORICAL PERSPECTIVE .....	1
FIREARMS LEGISLATION .....	2
STATISTICAL DATA .....	3
GUN CONTROL AND CRIME PREVENTION .....	4
DISCUSSION .....	5
REFERENCES .....	6

## INTRODUCTION

David Kopel, an American lawyer and firearms expert has said that “neither Canada’s culture nor its Constitution has inculcated in Canadians a determination to own or carry a handgun” (1991, p. 36). The general truth of this statement belies the fact that gun ownership and gun control legislation is a highly contentious issue in Canada today. The federal government’s recent introduction of stricter gun control legislation has met with strong opposition by an outspoken minority of gun enthusiasts.

This paper will examine gun control within the broader context of crime prevention. Specifically, the impact of stricter gun control on levels of crime will be examined. In order to address this hotly debated issue, four distinct yet related topics will be discussed, namely: the history of guns and colonialism on the western frontier, the substance and efficacy of past and present firearms legislation, statistical data on firearms and violence in Canada and the relationship between gun control and crime prevention.

## AN HISTORICAL PERSPECTIVE

Canada’s gun problems are much less onerous than those of the United States. America’s gun problems have been called “self-perpetuating and intractable” (Kopel, 1991, p. 34). The key to understanding the difference between the present situations in each country can perhaps best be explained with a brief description of the colonial history and settlement of the western frontier.

America, according to Philip Sharpe, was “born with the rifle in its hand” (quoted in Kennett, 1975, p. 36). From the beginning, hostility and war was prominent in the experiences of the early American settlers. Having left their homeland and seeking desperately to break with tradition and begin anew, the settlers came to their new home, the United States of America, with the intention of staying. Most of the first settlers to Canada, on the other hand, came with hopes of making money and then returning to Europe (Kopel, 1991). Canadian and American frontiersmen faced similar challenges in their new world; the land, the wildlife and the Aboriginal people were seen as formidable obstacles. Yet, the Canadian experience was not marked with the same degree of turbulence, violence and acquisition by force which characterized the American experience.

The French settlers to Canada established a healthy trading relationship with the Aboriginal people. One of the key trades involved the exchange of firearms for beaver pelts. As Kopel (1991) notes, for the first European settlers to Canada, the gun largely symbolized friendly relations with the Aboriginal people. For the first European settlers to America, the gun was the tool with which they would seize the continent by force.

In his analysis of the gap between the American and Canadian experience with guns, Kopel credits a number of factors inherent throughout Canadian history:

Gun control, the exaltation of the police, deference to authority, and rejection of violence, are all threads in the tapestry of Canadian culture (1991, p. 50).

The challenge ahead, as Kopel would agree, is for Canadians to maintain the core historical elements of peaceful cooperation in a culture increasingly riddled with gratuitous violence. The Canadian government, through firearms legislation, has a responsibility to set the course for the years to come. Whether we come to experience the level of violence which characterizes American culture, or forge ahead in a different direction will, to some extent, be determined by the comprehensiveness and enforceability of the next wave of firearms legislation.

## FIREARMS LEGISLATION

Canadian gun control legislation was introduced in earnest in 1977. The objectives of Bill C-51, also known as the Criminal Law Amendment Act, were to reduce access to firearms by potentially dangerous or irresponsible users, to reduce criminal usage of firearms and to promote the proper handling and storage of firearms (Scarff, 1983).

After a thorough five year evaluation on the effects of Bill C-51, a team of researchers concluded that the gun control legislation had a “moderate” impact on the use of firearms (Scarff, 1983). The absence of any definitive conclusions only heightened the gun control controversy. Nevertheless, the evaluation did reveal several trends on guns and crime. One of the principle findings was that the proportion of violent crimes committed with firearms declined in the post-legislation period. However, there were some disturbing trends. For example, where a firearm was used in the commission of a violent crime, the firearm of choice was increasingly a handgun. Handguns are of special concern as they are easily concealable, relatively inexpensive and increasingly accessible. Another finding was that the gun control legislation seemed to have a displacement effect, whereby the absence of a gun merely precipitated the use of an alternative weapon. On a positive note, suicides and accidents with firearms declined moderately in the post-legislation period (Scarff, 1983).

In hindsight, it is clear that Bill C-51 was not an unqualified success but, more importantly, it was definitely not a failure. Arguably, if one life was saved by the 1977 gun control provisions, then the legislation served a purpose.

More than a decade passed and countless human tragedies took place before gun control was examined again by the public and policy makers. Bill C-80 was announced by then Minister of Justice Kim Campbell on June 26, 1990 (Bartlett, 1990b). This legislation was the first major revision of Canada’s gun control regime. Some of the changes included: banning specific military and para-military weapons, banning large capacity cartridge magazines, tightening the screening procedures for obtaining a weapon and imposing various restrictions on firepower (Bartlett, 1990b).

Without entering into a technical discussion of firearms provisions, it is safe to say that a watered down version of the government’s initial proposals eventually made its way into law. Not surprisingly, gun control is once again the subject of considerable public scrutiny. Presently, federal Justice Minister Allan Rock is pushing hard for stringent firearms legislation. Specifically, Rock advocates increasing the mandatory sentence for serious firearm crimes from one year to four years.

Rock also advocates a ban on civilian owned handguns (with certain exceptions) and a restriction on sales of ammunition. Furthermore, Rock plans to ban 21 types of military rifles as of January 1995, and he would like all firearms to be registered by 1998. Justice Minister Rock is fighting an uphill battle. Not only is the National Firearms Association (NFA) strongly opposed to many of Rock's propositions, but so are a significant number of Rock's colleagues. However, an overwhelming majority of Canadians support strict gun control (Bartlett, 1990a; Austen, 1994, p. A3). One need only look at the disheartening statistics on violence and crime to understand why the majority of Canadians feel that stricter gun control legislation is timely.

## STATISTICAL DATA

All categories of violent crime, with the exception of homicide, showed increased rates between the years 1975-1989 based on police-reported data (Solicitor General of Canada, 1986; Wolff, Trevethan & Hoskins, 1991). Of interest, Wolff et al. (1991) report that during the same period, 1975-1989, the firearm homicide rate declined by 38% and the firearm robbery rate declined by 36%. Many would attribute the decline in firearm usage rate to the 1977 gun control legislation. Although a causal connection cannot be made, the question remains as to why robberies as a whole increased, and firearm robberies decreased.

The data presents a somewhat contradictory picture, with general rates of violent crime increasing and specific firearms related crimes decreasing. Taking into consideration the cautiously optimistic findings on firearms related incidents, there is still cause for concern as there is a staggering number of weapons which remain at large. For instance, the RCMP advise that more than 65,000 firearms were recorded as lost or stolen as of December 31, 1993 (Coalition for Gun Control, 1994). Every year about 3,000 additional firearms are reported stolen or missing. There are approximately 6 million guns in Canada and 1.2 million of these are restricted firearms.

The number of lethal weapons already available on the market are a cause for concern. It is no wonder that hundreds of community organizations, colleges, universities and law enforcement agencies are applauding the move towards tighter gun control (Bindman, 1994, p. A3).

A breakdown of firearms statistics immediately reveals the fact that firearm suicides constitute the bulk of the problem with guns. With about 1,100 gun-related suicides per year in Canada, it is startling how relatively little attention is paid to this aspect of gun control. In 1991, there were a total of 1,445 deaths involving firearms. Of these 19% were homicides, 4% were accidents and 77% were suicides (Department of Justice Canada, 1994). Firearms legislation, if it is to have a significant impact on the culture of violence in which we live, should not focus only on the criminal abuse of firearms. Rather, as many gun control advocates recognize, gun control is not the sole solution to crime, but it is a necessary part of the societal and community effort towards crime control and crime prevention.

## GUN CONTROL AND CRIME PREVENTION

The United Nations has long recognized the role that gun control plays in the prevention of crime (United Nations, June 1990; Begin, 1992). The eighth United Nations Congress on the prevention of crime and the treatment of offenders addressed the issue of gun control as one of many situational crime prevention measures. The United Nations report acknowledges that “certain offences can be prevented if the means for committing them are made unavailable” (United Nations, 1990, p. 12). The report uses the example of passengers being screened for weapons before boarding a plane. This policy works because it makes sense to screen all passengers, for their own safety, even if their individual rights are minimally infringed upon.

Tightening gun control legislation amounts to the same idea. A minority of individuals such as hunters, target shooters, farmers and gun collectors would be marginally inconvenienced in order that the collective goals of society, such as security and crime control, can be realized. The literature supports this notion. Zimring (1991) examined firearms in relation to violence and American public policy. He states that “robberies with firearms, like assaults with guns, contribute greatly to the crime-related death rate...” (Zimring, 1991, p. 51). Another American criminologist, Cook (1983), looked at the influence of gun availability on violent crime patterns and found that widespread availability of firearms does indeed contribute to the criminal homicide rate and also influences violent crime patterns. In an interesting comparative study of violent crime in two neighbouring cities, Seattle and Vancouver, it was found that Seattle, with its less restrictive gun possession laws, had a 60% higher homicide rate and a 400% higher firearm homicide rate than Vancouver (Roth, 1994). The cities were chosen initially because they had similar economic profiles and similar rates of burglary and assault (Roth, 1994). The variation between the two cities in terms of their homicide rate can be attributed to a variety of factors, but it would be incorrect to negate the impact of gun control legislation. In Singapore, one of the world’s most densely populated countries, firearms crimes are met with a swift and severe response. For example, the use of a firearm with intent to cause bodily harm is a capital offence, as is the unlawful possession of more than two weapons. Both crimes are subject to the death penalty (Austin, 1987). Austin asserts that Singapore’s heavy firearms penalties may be having a general deterrent effect on firearms offenses.

The literature on firearms clearly indicate that illegal and unregulated “businesses” are the main suppliers of guns used in violence (Roth, 1994). While legislation alone cannot eradicate this situation, it can better regulate the screening of legitimate gun buyers, thus affecting the rate of serious social problems, including spousal homicide. Consider the fact that a married woman is about 9 times likelier to be killed by her spouse than by a stranger (Wilson & Daly, 1994). Also consider that in the years 1974-1992 there were about 17 domestic homicide victims per million couples every year (Wilson & Daly, 1994). Statistics indicate that the majority of spousal homicides are committed by husbands (with legitimate firearms ownership) in the heat of an argument. Of significance is the fact that firearms constituted the most frequent means of spousal homicide. In light of these statistics and the reality that over half of all spousal homicides occur in households with documented histories of domestic violence, it makes sense to tighten the screening process to ban abusive individuals from gun ownership.

However, there are growing numbers of Canadians who feel the need to be armed with a gun for protection. The Coalition for Gun Control (1994) is quick to point out the erroneous thinking on this subject. The Coalition's research states that where there is a gun in the home, it is 43 times more likely to kill a member of the household than to kill an intruder (Coalition for Gun Control, 1994). Further, research shows that weapons bought for self protection are more likely to be used against victims than offenders (Coalition for Gun Control, 1994). "Rows of figures indicate that the gun is of doubtful utility to potential victims of crime and point to a sinister equation: more firearms- more firearm violence" (Kennett & Anderson, 1975, p. 248).

## DISCUSSION

Taking into account the literature and statistics on firearms, violent crime and suicide, the American experience and the safety of the general public and police officers, the need for comprehensive gun control legislation becomes apparent. If crime prevention is to be realized, targeting the endemic causes of crime such as poverty, domestic abuse and drug abuse goes without saying. At the federal level, however, a strong stand on gun control would serve to reinforce the overall goals of crime control and crime prevention. However, the strong opposition to gun control by select groups needs to be addressed. As Ramsay Clark, former Attorney General of the United States, notes:

We have failed to control firearms because history and habit are more powerful influences on human conduct than reason and recent experience. Customs adapt gradually to meet new conditions. Society is slow to see how change makes senseless, and often dangerous, ancient activities long deemed essential to survival. Guns were once thought to be provider, protector and defender of liberty. Today they murder. (quoted in Davies, unpublished paper, p. 1).

Public education on the relationship between gun control and crime prevention is a necessary first step.

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